



Ray Magruder
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July 15, 2010

Surface Transportation Board
Section of Environmental Analysis
395 East Street, SW
Washington, DC 20423-0001

RE: CSXT Abandonment
1st Street Lead, Graham Grain Lead, and International Paper
Lead, Terre Haute, IN
STB Docket AB-55 (Sub-No. 701X)

Dear STB - SEA:

This refers to CSX Transportation's Petition for Exemption filed on April 30, 2010 requesting authority to abandon its rail line described above. Enclosed please find a copy of Early Coordination/Environmental Assessment dated June 15, 2010 from Mr. J. Matthew Buffington of the Indiana Department of Natural Resources, Division of Water ("INDNR").

On June 30, 2010, I had a telephone conversation with Ms. Christie Stanifer, Environmental Coordinator, Fish & Wildlife, of INDNR regarding the proposed salvage activities. We reviewed the proposed salvage activities and confirmed that no negative impact on waterways or the surrounding habitat is anticipated. CSXT, upon receiving abandonment authority, would remove the material by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. CSXT does not intend to disturb any of the underlying roadbed or perform any activities that would cause sedimentation or erosion of the soil, and does not anticipate any dredging or use of fill in the removal of the track material. The crossties and/or other debris will be transported away from the rail line and will not be discarded along the right of way nor be placed or left in streams or wetlands, or along the banks of such waterways. Also, during track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any waterways.

Sincerely,

A handwritten signature in dark ink, appearing to be "R. Magruder", written in a cursive style.

Attachment

Copy: Ms. Christie Stanifer, 402 West Washington St., Room W264, Indianapolis, IN 46204
Ms. Kate Barney, 500 Water Street-J150, Jacksonville, FL, 32202
Mr. Louis Gitomer, 600 Baltimore Ave, Suite 301, Towson, MD 21204

State of Indiana
DEPARTMENT OF NATURAL RESOURCES
Division of Water

Early Coordination/Environmental Assessment

DNR #: ER-14803 **Request Received:** March 15, 2010

Requestor: CSX Transportation Incorporated
Ray Magruder
500 Water Street
J200
Jacksonville, FL 32202

Project: Proposed abandonment of the rail line from milepost QST 1.42 (Park Ave) to milepost QST 5.13 (Spring Hill) including the International Paper Lead, Terre Haute

County/Site info: Vigo

Regulatory Assessment: The Indiana Department of Natural Resources has reviewed the above referenced project per your request. Our agency offers the following comments for your information and in accordance with the National Environmental Policy Act of 1969. This proposal may require the formal approval of our agency pursuant to the Flood Control Act (IC 14-28-1) for any proposal to construct, excavate, or fill in or on the floodway of a stream or other flowing waterbody which has a drainage area greater than one square mile.

Natural Heritage Database: The Natural Heritage Program's data have been checked. To date, no plant or animal species listed as state or federally threatened, endangered, or rare have been reported to occur in the project vicinity.

Fish & Wildlife Comments: We are unable to fully address any impacts this project will have on fish, wildlife, and botanical resources with the information provided. We recommend sending more specific information to: Indiana Department of Natural Resources, Division of Fish and Wildlife, 402 West Washington Street, Room W273, Indianapolis, Indiana 46204, Attention: Christie Stanifer. Please reference the above ER number with any future correspondence regarding this project.

Any removal of the rail line that would impact forested habitat, wetlands or streams in the floodway might require compensatory mitigation.

Impacts to non-wetland forested habitat under 1 acre should be mitigated at a 1:1 ratio by planting 5 trees 1"-2" dbh for each tree which is removed that is 10" dbh or greater. Impacts to non-wetland forest over 1 acre should be mitigated at a minimum 2:1 ratio. Impacts to wetlands should be mitigated at the appropriate ratio. For more information, see <http://www.in.gov/legislative/register/20061213-IR-312060562NRA.xml.pdf>.

Any disturbed or modified stream banks should be graded to no flatter than a 2:1 slope. Bioengineered bank stabilization methods should be used on bank slopes. The following is a link to a USDA / NRCS document that outlines many different bioengineering techniques for streambank stabilization: <http://directives.sc.egov.usda.gov/17553.wba> (Choose Handbooks; Title 210 Engineering; National Engineering Handbook; Part 650 Engineering Field Handbook. Choose Chapter 16 from next window). Bioengineered bank stabilization can produce a stabilized, vegetated bank, providing the creek habitat benefits through leafy/woody organic debris and shade as well as live roots reinforcing the soils. Turf reinforcement mats should be used in combination with native grass, sedge, and wildflower seeding and native woody vegetation. Herbaceous seeding within the floodway, including where heavy-duty erosion control blankets or turf reinforcement mats will be seeded, should be done with a seed mix composed of native grasses, sedges, and wildlife flowers (native seed mix to contain at least 10 species which should include native grasses, sedges, and forbs). Non-permanent erosion control blankets that have biodegradable netting should be used to minimize the potential for small wildlife entrapment (snakes

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Early Coordination/Environmental Assessment

and other small wildlife can be trapped/snared by erosion control netting).

The map provided indicates new siding at two locations; however, this is not detailed in the project description.

Fish, wildlife, and botanical resource losses as a result of this project can be minimized through implementation of the following measures.

Minimize and contain within the project limits inchannel disturbance and the clearing of trees and brush.

Do not work in the waterway from April 1 through June 30 without the prior written approval of the Division of Fish and Wildlife.

Do not cut any trees suitable for Indiana bat roosting (greater than 3 inches dbh, living or dead, with loose hanging bark) from April 1 through September 30.

Use minimum average 6 inch graded riprap stone extended below the normal water level to provide habitat for aquatic organisms in the voids.

Appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the stream or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized.

Seed and protect all disturbed streambanks and slopes that are 3:1 or steeper with biodegradable heavy-duty erosion control blankets (follow manufacturer's recommendations for selection and installation); seed and apply mulch on all other disturbed areas.

Plant five trees, at least 2 inches in diameter-at-breast height, for each tree which is removed that is ten inches or greater in diameter-at-breast height.

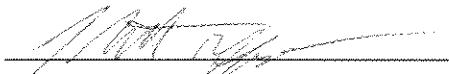
Revegetate all bare and disturbed areas with a mixture of grasses (excluding all varieties of tall fescue), legumes, and native shrub and hardwood tree species as soon as possible upon completion. Do not use any variety of Tall Fescue or other non-native plants (e.g., crown-vetch).

Do not excavate in the low flow area except for the placement of piers, foundations, and riprap, or removal of the old structure.

Contact Staff:

Christie L. Stanifer, Environ. Coordinator, Fish & Wildlife

Our agency appreciates this opportunity to be of service. Please do not hesitate to contact the above staff member at (317) 232-4160 or 1-877-928-3755 (toll free) if we can be of further assistance.


J. Matthew Buffington
Environmental Supervisor
Division of Fish and Wildlife

Date: June 15, 2010